

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
THIRD DIVISION**

Civil No. 08-6324 PAM/AJB

MINNEAPOLIS FIREFIGHTERS' RELIEF ASSOCIATION,  
individually and on behalf of all others  
similarly situated, UNION ASSET MANAGEMENT  
HOLDING AG, OKLAHOMA FIREFIGHTERS PENSION FUND,  
CARPENTERS ANNUITY TRUST FUND FOR NORTHERN  
CALIFORNIA, and CARPENTERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA,

**PRETRIAL  
SCHEDULING  
ORDER**

Plaintiffs,

v.

MEDTRONIC, INC., WILLIAM A. HAWKINS, III,  
and GARY ELLIS,

Defendants.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3. Defendants' request to sequence discovery is denied.

**Class Certification Motion**

1. Lead Plaintiffs' motion for class certification shall be served and filed on or before October 15, 2010.
2. Defendants' opposition to Lead Plaintiffs' motion to certify the Class must be served and filed on or before November 15, 2010.
3. Any reply in further support of Lead Plaintiffs' motion to certify the Class must be served and filed on or before December 16, 2010.

Discovery Plan

1. Fact discovery shall be commenced in time to be completed by April 1, 2011.
2. All pre-discovery disclosures required by Rule 26(a)(1) shall be completed on or before April 7, 2010.
3. No more than 50 interrogatories [counted in accordance with Fed. R. Civ. R. 33(a)] shall be served by either side.
4. No more than 45 depositions, excluding expert witness depositions, shall be taken by each side. Each side shall take no more than four (4) expert depositions. Expert discovery, including depositions, shall be completed by July 1, 2011.
5. Production of documents should be substantially completed on or before December 1, 2010.

Protective Order

1. The parties shall jointly submit a proposed Protective Order governing the treatment of confidential information on or before April 30, 2010. To the extent that there are any issues of disagreement, the parties will present these issues to the Court in a timely fashion.

Non-Dispositive Motions

(Non-dispositive motions may be scheduled for hearing by calling Kathy Thobe, Calendar Clerk, 651-848-1210.)

1. All motions which seek to amend the pleadings or add parties must be served by February 1, 2011.
2. All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by July 1, 2011.
3. Prior to scheduling any non-dispositive motion, parties are encouraged to consider whether the motion, including motions relating to discovery and scheduling, can be informally resolved through telephone conference with the Magistrate Judge. All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1, 37.1, and **shall be presented in a form that complies with Local Rule 37.2**.

Experts

1. Plaintiffs shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before January 3, 2011. Plaintiffs shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written reports prepared and signed by each expert witness, on or before April 15, 2011. Rebuttal reports are due on or before June 1, 2011.
2. Defendants shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before January 3, 2011. Defendants shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written reports prepared and signed by each expert witness, on or before April 15, 2011. Rebuttal reports are due on or before June 1, 2011.

Dispositive Motions

1. All dispositive motions shall be **served, filed and HEARD** by the Court by August 1, 2011. (Counsel are advised that they must schedule this hearing by calling Calendar Clerk Suzanne Ruiz, 651-848-1156.) Thus, all dispositive motions must be filed and served by June 17, 2011. Responsive briefs are due July 8, 2011. Reply briefs are due July 18, 2011.
2. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1.

Trial

This case shall be ready for a trial on October 1, 2011, or upon resolution of any pending dispositive motions. Each side may call no more than four expert witnesses.

Dated: 4/8/10

s/ Arthur J. Boylan  
Arthur J. Boylan  
United States Magistrate Judge